

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

In re:)	
)	
Fairfield Sentry Limited, <i>et al.</i>,)	Chapter 15 Case
)	
Debtors in Foreign Proceedings.)	Case No. 10-13164 (SMB)
)	
)	Jointly Administered
)	
Fairfield Sentry Limited (In)	
Liquidation), <i>et al.</i>, acting by and)	
through the Foreign)	Adv. Pro. No. 10-03496 (SMB)
Representatives thereof,)	
Plaintiffs,)	
)	Administratively Consolidated
-against-)	
)	
Theodoor GGC Amsterdam, <i>et al.</i>,)	
Defendants.)	
)	
This attorney declaration applies to,)	
and has been filed in, the Adversary)	
Proceedings listed on Exhibit 1)	

**ATTORNEY DECLARATION OF JONATHAN D. COGAN
IN SUPPORT OF ALLIANZ BANK'S SUPPLEMENTAL MEMORANDUM
OF LAW IN SUPPORT OF DEFENDANTS' RENEWED MOTION TO DISMISS**

I, Jonathan D. Cogan, declare under penalty of perjury as follows:

1. I am duly licensed and admitted to practice law in the State of New York, and I am a partner with the law firm of Kobre & Kim LLP, counsel for Allianz Bank Financial Advisors S.p.A. ("Allianz Bank"). I respectfully submit this declaration in support of Allianz Bank's *Supplemental Memorandum of Law in Support of Defendants' Renewed Motion to Dismiss* (the "Supplemental Brief").

2. As discussed in the Supplemental Brief, the Plaintiffs have not actually named Allianz Bank as a defendant. They have named the nonexistent entity of "Allianzbank

SPA/Unifortune Conservative Side Pocket.” Attached hereto as Exhibit 1 is a list of adversary proceedings in which this nonexistent entity has been named.

3. Attached hereto as Exhibit 2A is a true and correct copy of an extract from the register of banks maintained by Italy’s central bank—the Bank of Italy. The extract reflects information that was current for Allianz Bank as of the date of the commencement of the above-captioned chapter 15 case. Attached hereto as Exhibit 2B is a true and correct copy of a certified translation from Italian to English of Exhibit 2A, which indicates that Allianz Bank: (i) was registered in the Bank of Italy’s “bank register” on January 25, 1990 with registration number 5035, *see* p. 3; (ii) has been authorized to engage in “banking activity” since January 25, 1990, *see* p. 4; (iii) is listed as a “BANK” under “Intermediary Type”, *see* p. 2; and (iv) was, as of the date of the commencement of the above-captioned chapter 15 case, overseen by the “Specialized Bank Div[ision]” of the “Financial Intermediary Supervision Service,” *see* p. 5. The foregoing extract is available for download from the Bank of Italy’s website, which may be accessed at: <https://infostat.bancaditalia.it/GIAVAInquiry-public/ng/> (select “English” for the “Lingua” in the top menu bar).

4. Attached hereto as Exhibit 3A is a true and correct copy of certain excerpts from the “*Visura Camerale*” for Allianz Bank—*i.e.*, the results of electronic queries made with the Chamber of Commerce of Milan, Monza, Brianza, Lodi. Attached hereto as Exhibit 3B is a true and correct copy of a certified translation from Italian to English of Exhibit 3A, which indicates that Allianz Bank was formed in 1989 and has as its corporate purpose “the collection of savings and lending in various forms”, *see* pp. 3-4, and has been authorized to “undertake all transaction and bank and investment services as well as any transaction for . . . the achievement of the corporate purpose”, *see* pp. 4. The “*Visura*” for Allianz Bank is available for a small fee at the

Italian Chamber of Commerce's company register website, which may be accessed at: <http://www.registroimprese.it/>. Certain information contained in the "*Visura*" is available for free at this website, including a description of Allianz Bank's primary business activity—*i.e.*, the collection of savings and lending.

Executed on March 23, 2020, at Tenafly, New Jersey.

/s/ Jonathan D. Cogan

Jonathan D. Cogan